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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/020,701	12/12/2001	Wah Yiu Kwong	ITL.0681US	9547

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TROP PRUNER & HU, PC
8554 KATY FREEWAY
SUITE 100
HOUSTON, TX 77024

EXAMINER

BAUM, RONALD

ART UNIT PAPER NUMBER

2136

DATE MAILED: 02/08/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/020,701

Applicant(s)

KWONG ET AL

Examiner

Ronald Baum

Art Unit

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 22 September 2005.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-25 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-25 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

1. This action is in reply to applicant's correspondence of 22 September 2005.
2. Claims 1-25 are pending for examination.
3. Claims 1-25 are rejected.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claims 1-25 are rejected under 35 U.S.C. 103(a) as being unpatentable over Aluzzo et al, U.S. Patent Application Publication US 2002/0073306 A1.

5. As per claim 1; "A method comprising:

detecting a user input [Abstract, figures 1-7 and accompanying descriptions with figure 1 more particularly, whereas the input device comprising, inter alia, 'a touch screen reader', by way of example, obviously encompasses the user input as detected, as broadly interpreted by the examiner.];

in response to the detection of a user input, generating a graphical user interface before the operating system has booted [Abstract, figures 1-7 and accompanying descriptions with [0036-0040] more particularly, whereas the response to the input device (i.e., touch screen input obviously enabled for the input of security PIN/password token information) either the response

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to a correct or incorrect authentication process, obviously encompasses the response claim aspect, as broadly interpreted by the examiner.];

receiving an input from the user through said graphical user interface [Abstract, figures 1-7 and accompanying descriptions with [0036-0040, 0046-0051] more particularly, whereas the response to a correct or incorrect authentication process, obviously encompasses the GUI input claim aspect, as broadly interpreted by the examiner.]; and

booting the operating system [Abstract, figures 1-7 and accompanying descriptions with [0036-0040] more particularly, whereas the response to the input device by the user, either the response to a correct or incorrect authentication process, obviously encompasses in part, or as a whole, the OS components enabling/loading/execution of the boot/bios software/firmware components claim aspects, as broadly interpreted by the examiner.].”;

Further, as per claim 11, this claim is the embodied method software for the method claim 1 above, and is rejected for the same reasons provided for the claim 1 rejection;

Further, as per claims 21,24 these claims are the apparatus/system for the method claim 1 above, and are rejected for the same reasons provided for the claim 1 rejection.

6. Claim 2 ***additionally recites*** the limitation that; “The method of claim 1 wherein detecting a user input includes

detecting the operation of a push button.”.

The teachings of Aluzzo et al are directed towards such limitations (i.e., Abstract, figures 1-7 and accompanying descriptions with [0036-0037] more particularly, whereas an input device

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comprising an obvious on-off switch or such user control, by way of example, obviously encompasses the user input/push button as detected, as broadly interpreted by the examiner.);

Further, as per claim 12, this claim is the embodied method software for the method claim 2 above, and is rejected for the same reasons provided for the claim 2 rejection;

7. Claim 3 *additionally recites* the limitation that; “The method of claim 1 wherein generating a graphical user interface includes

generating a graphical user interface using a graphics controller.”.

The teachings of Aluzzo et al are directed towards such limitations (i.e., Abstract, figures 1-7 and accompanying descriptions with figure 1 more particularly, whereas the use of a touch screen input/output component, as broadly interpreted by the examiner obviously is electronic logic controlling the GUI display rendering, inherently a graphics controller.);

Further, as per claim 13, this claim is the embodied method software for the method claim 3 above, and is rejected for the same reasons provided for the claim 3 rejection.

8. Claim 4 *additionally recites* the limitation that; “The method of claim 3 including storing information for generating said graphical user interface on an option memory.”.

The teachings of Aluzzo et al are directed towards such limitations (i.e., Abstract, figures 1-7 and accompanying descriptions with figures 1 more particularly, whereas the use of various devices that have a processor and inherent associated memory (i.e., RAM, ROM, PROM, etc.,) obviously

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encompasses "...storing information ...", as broadly interpreted by the examiner, in system components where there is clearly electronic logic controlling the GUI parameter storage/display rendering, inherently a memory and graphics controller.);

Further, as per claim 14, this claim is the embodied method software for the method claim 4 above, and is rejected for the same reasons provided for the claim 4 rejection.

9. Claim 5 *additionally recites* the limitation that; "The method of claim 1 including using boot code running on a graphics controller to generate the graphical user interface."

The teachings of Aluzzo et al are directed towards such limitations (i.e., Abstract, figures 1-7 and accompanying descriptions with figures 1 more particularly, whereas an inherently integrated (i.e., the graphics controller is part of the same printed circuit board, such as a PDA) obviously encompasses "...boot code running ... generate the graphical user ...", as broadly interpreted by the examiner in system components where there is clearly electronic logic controlling the GUI parameter storage/display rendering, inherently a memory and graphics controller.);

Further, as per claim 15, this claim is the embodied method software for the method claim 5 above, and is rejected for the same reasons provided for the claim 5 rejection.

10. Claim 6 *additionally recites* the limitation that; "The method of claim 1 wherein generating a graphical user interface includes

generating a graphical user interface to
enable the user to input a password.”.

The teachings of Aluzzo et al are directed towards such limitations (i.e., Abstract, figures 1-7 and accompanying descriptions with [0036-0040, 0046-0051] more particularly, whereas the response to a correct or incorrect authentication process, obviously encompasses the GUI input claim aspect, as broadly interpreted by the examiner.);

Further, as per claim 16, this claim is the embodied method software for the method claim 6 above, and is rejected for the same reasons provided for the claim 6 rejection.

Further, as per claim 25, this claim is the apparatus/system for the method claims 5,6 above, and is rejected for the same reason provided for the claims 5,6 rejection.

11. Claim 7 ***additionally recites*** the limitation that; “The method of claim 6 wherein
generating a graphical user interface includes
generating an on-screen keyboard.”.

The teachings of Aluzzo et al are directed towards such limitations (i.e., Abstract, figures 1-7 and accompanying descriptions with [0028, 0036-0040, 0046-0051] more particularly, whereas the response to a correct or incorrect authentication process via the use of a touch screen reader obviously encompasses the use of a keypad/keyboard GUI input/output type of input device component, as broadly interpreted by the examiner.);

Further, as per claim 17, this claim is the embodied method software for the method claim 7 above, and is rejected for the same reasons provided for the claim 7 rejection;

Further, as per claim 23, this claim is the apparatus/system for the method claim 7 above, and is rejected for the same reasons provided for the claim 7 rejection.

12. Claim 8 ***additionally recites*** the limitation that; “The method of claim 1 including receiving inputs from the user through the graphical user interface without a keyboard.”.

The teachings of Aluzzo et al are directed towards such limitations (i.e., Abstract, figures 1-7 and accompanying descriptions with [0028, 0036-0040, 0046-0051] more particularly, whereas the response to a correct or incorrect authentication process via the use of a touch screen reader, a mouse, scanner, etc., obviously encompasses the use of a graphical user interface without a keyboard, per se, GUI input/output type of input device component, as broadly interpreted by the examiner.);

Further, as per claim 18, this claim is the embodied method software for the method claim 8 above, and is rejected for the same reasons provided for the claim 8 rejection;

Further, as per claim 22, this claim is the apparatus/system for the method claim 8 above, and is rejected for the same reasons provided for the claim 8 rejection.

13. Claim 9 ***additionally recites*** the limitation that; “The method of claim 1 including authenticating a user and allowing the operating system to boot if the user has been authenticated.”.

The teachings of Aluzzo et al are directed towards such limitations (i.e., Abstract, figures 1-7 and accompanying descriptions with [0027-0040, 0046-0051] more particularly, whereas the various input device enabled authentication scenarios obviously encompasses "... authenticating a user ...", and further, the BIOS level locking/unlocking and subsequent measured loading of the various OS components based on the results of said authentication scenarios, obviously encompasses "allowing the operating system to boot ... authenticated", as broadly interpreted by the examiner.);

Further, as per claim 19, this claim is the embodied method software for the method claim 9 above, and is rejected for the same reasons provided for the claim 9 rejection.

14. Claim 10 *additionally recites* the limitation that; "The method of claim 9 including receiving a password entered without a keyboard using the graphical user interface."

The teachings of Aluzzo et al are directed towards such limitations (i.e., Abstract, figures 1-7 and accompanying descriptions with [0028, 0036-0040, 0046-0051] more particularly, whereas the response to a correct or incorrect authentication process via the use of a touch screen reader, a mouse, scanner, etc., obviously encompasses the use of a graphical user interface for receiving a password without a keyboard, per se, GUI input/output type of input device component, as broadly interpreted by the examiner.);

Further, as per claim 20, this claim is the embodied method software for the method claim 10 above, and is rejected for the same reasons provided for the claim 10 rejection.

Response to Amendment

15. As per applicant's argument concerning the lack of teaching by Iggulden of the various user/user interface based, events triggered configuration aspects, the examiner in changing the basis for the rejection renders the arguments moot.

As per applicant's argument concerning the "claim [being] very clear and very simple", the examiner respectfully points out that claim language that is "very clear and very simple" per se does not necessarily indicate patentability. Issues dealing with claim language as concerned with associated claim language scope in relation to the said claim language meaning (i.e., broadness of interpretation issues), clearly are relevant to any rejection relative to applied art.

Conclusion

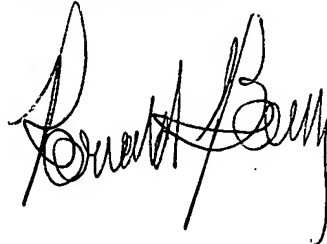
16. Any inquiry concerning this communication or earlier communications from examiner should be directed to Ronald Baum, whose telephone number is (571) 272-3861, and whose unofficial Fax number is (571) 273-3861. The examiner can normally be reached Monday through Thursday from 8:00 AM to 5:30 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Ayaz Sheikh, can be reached at (571) 272-3795. The Fax number for the organization where this application is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. For more information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Ronald Baum

Patent Examiner



AYAZ SHEIKH

SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2100